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MEMO ENDORSED

January 19, 2012

VIA MESSENGER

The Honorable Frank Maas, U.S.M.J.
U.S. District Court, Southern District of New York
United States Courthouse
500 Pearl Street
Courtroom 20A
New York, New York 10007

JAN 20 2012

**Re: Kate Convery v. 142 West 49th St. Rest. Corp, et al.
Civil Action No. 11-CV-2100 (PKC) (FM)**

Dear Judge Maas:

We represent Defendants in the above-referenced action (the "Action"). Following a settlement conference before Your Honor on December 2, 2011, Plaintiffs and Defendants (the "Parties") settled the Action. At a telephone status conference on December 19, 2011, counsel for the Parties reported that the Action had been settled and, at the joint request of counsel, you agreed to review the Parties' settlement agreement ("Agreement") *in camera* in order to preserve the confidentiality of the terms of the Agreement. Accordingly, and pursuant to your Order dated December 19, 2011, enclosed herewith is the Agreement and form of Stipulation and Order of Dismissal ("Stipulation") for the Court's *in camera* review and approval. Once the Agreement has been approved by the Court, the Parties will execute the Agreement and Stipulation and return them to you for your execution and filing of the Stipulation. With the consent of all Parties, and pursuant to discussion with Your Honor at the December 19, 2011 status conference, if the Agreement is filed with the Stipulation, it is to be filed under seal.

I have reviewed the document. Respectfully submitted,

and approve, but respectfully

decline to retain jurisdiction, other

than for a period of 30 days after

the effective date of the

agreement Enclosure on the date the

fully-executed cc: Matthew Kadushin, Esq. (via e-mail)

Stipulation and D. Maimon Kirschenbaum, Esq. (via e-mail)

Order is filed (i.e., to ensure that

payment is made).

Maas, USMJ, 1/23/12

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Charles Caranicas

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